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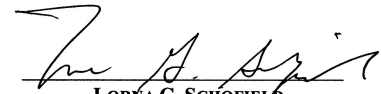
August 2, 2024 **Adam M. Apton**  
aapton@zlk.com

## VIA CM/ECF

Honorable Lorna G. Schofield  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Courtroom 1106  
New York, New York 10007

Application **GRANTED**. The conference scheduled for August 7, 2024, is **ADJOURNED to August 14, 2024, at 4:10 P.M.** The motions for lead plaintiff will be resolved by oral opinion at the August 14, 2024, conference with no oral argument. The parties shall file their preconference materials by **August 21, 2024**.

Dated: August 5, 2024  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

Re: *Seongjae Yoon v. Malibu Boats, Inc., et al.*,  
Case No. 24 Civ. 03254 (LGS)

Dear Judge Schofield:

Our office represents lead plaintiff movant Latham Investments, LLC (“Latham”). We write to request an adjournment of the lead plaintiff hearing now scheduled for Tuesday, August 7, 2024 at 3:30 p.m. Dkt. No. 28.

I will be the attorney for Latham who is handling the lead plaintiff application. However, I will be out of the country on a family vacation next week and therefore unavailable for the hearing. I respectfully request a continuance of the hearing to either the following week on August 14, 15 or 16 or any day the week of August 19.

I have conferred with counsel for the Retiree Benefit Trust of the City of Baltimore (the “OPEB Trust”), who is the only other movant still seeking the lead plaintiff position. Counsel for the OPEB Trust takes no position on the request but has asked that I note they are prepared to appear at the August 7, 3:30 p.m. conference on behalf of the OPEB Trust. They have also stated they are available the following week at the Court’s convenience.

Prior to today’s order, there was no hearing scheduled for the lead plaintiff motions. Consequently, this is the first request for an adjournment of this date and is being made urgently given the imminence of the hearing.

Respectfully,

s/ Adam M. Apton  
Adam M. Apton

CC: All counsel of record (via CM/ECF)